

Mail Stop: APPEAL BRIEF-PATENTS
PATENT
2005-1030

**IN THE U.S. PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of	Appeal Docket No.
Yuri SHEFLER	Conf. 9618
Application No. 10/530,202	Group 1781
Filed November 1, 2005	Examiner Vera Stulii
VODKA AND A PROCESS FOR THE PRODUCTION OF VODKA	

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Responsive to the Notice of Non-Compliant Appeal Brief of January 25, 2011, which noted an inadvertent omission of "impurities" in claim 10, please replace the Claim Appendix in the Appeal Brief of January 3, 2011 with the attached Claim Appendix.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any underpayment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Robert A. Madsen/
Robert A. Madsen, Reg. No. 58,543
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

February 24, 2011

RAM/msd
Enclosures: Claims Appendix

(viii)

Claims Appendix

10. A vodka comprising:
a percentage of absolute alcohol in water of about 35-50
vol %,
4-6 mM sugar,
0.05 - 0.2 mM of bicarbonate,
0.02-0.04 vol % of extract of flax seeds, and
wherein said vodka has an amount of impurities per liter
of absolute alcohol in an amount as follows:
acetic aldehyde lower than 3 mg,
fusel oil lower than 6 mg,
ester lower than 5 mg,
methyl alcohol lower than 0.2 ml, and
an alkalinity characteristic of less than 3 meq.

11. The vodka according to claim 10, wherein the vodka
contains a percentage of absolute alcohol in water of about 40 vol
%, 5.3 mM of sugar, 0.12 mM of sodium bicarbonate, and 0.032 vol %
of extract of flax seeds.

12. A process for preparing vodka, comprising:
mixing water and absolute alcohol to obtain a mixture,
treating the mixture with activated coal,
adding sugar, aroma compounds and optionally other
ingredients,

cooling the mixture to a temperature of about -10°C to -15°C, at which temperature the mixture is maintained for about 4-8 hours,

filtering the mixture,

adapting the mixture to room temperature to obtain a filtrate,

optionally adding other ingredients to the filtrate, and

optionally further filtering the filtrate at room temperature before bottling said filtrate.

13. The process according to claim 12, whereby the filtrate is adapted to room temperature by pumping the filtrate to a non-isolated tank until room temperature has been attained.

14. The process according to claim 12, whereby the aroma compounds comprise extract of flax seeds.

15. The process according to claim 12, whereby the water is water with an alkalinity of less than 3 meq/l.

16. The process according to claim 12, whereby the cooled mixture is filtered through a carbon filter.

17. The process according to claim 13, whereby the filtrate is further filtered over a series of micro filters before bottling.

18. A process for preparing vodka, comprising:
mixing water and absolute alcohol to obtain a mixture,
treating the mixture with activated coal followed by filtration, adding sugar, aroma compounds and optionally other ingredients to the mixture, wherein, the mixture after the treatment with activated coal is cooled to a temperature of about -10°C to -15°C, at which temperature the mixture is maintained for about 4-8 hours, after which the mixture is filtered, and gradually adapted to room temperature, optionally aroma and other ingredients are added to the mixture, and optionally the mixture is filtered again before bottling a resulting mixture.

19. The process according to claim 18, whereby the mixture is adapted to room temperature by pumping the mixture to a non-isolated tank until room temperature has been attained.

20. The process according to claim 18, whereby the aroma compounds comprise extract of flax seeds.

21. The process according to claim 18, whereby the water is water with an alkalinity of less than 3 meq/l.

22. The process according to claim 18, whereby the mixture is filtered through a carbon filter.

23. The process according to claim 19, whereby the mixture at room temperature is filtered over a series of micro filters before bottling.